

REMARKS

I. Introduction

Claims 1, 4 to 9 and 22 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 1, 4 to 9 and 22 Under 35 U.S.C. § 103(a)

Claims 1, 4 to 9 and 22 were rejected under 35 U.S.C. § 103(a) as unpatentable over a combination of U.S. Patent No. 6,062,461 (“Sparks et al.”) and either U.S. Patent No. 6,761,420 (“Maluf et al.”) or U.S. Patent No. 6,686, 642 (“Regan et al.”), as well as Applicants’ alleged discussion of the prior art. It is respectfully submitted that the combination of Sparks et al. and either Maluf et al. or Regan et al., as well as of Applicants’ alleged discussion of the prior art, does not render unpatentable the present claims for at least the following reasons.

Claim 1 relates to a microstructured component having a layered construction, comprising: a carrier including at least one glass layer; a component structure including a first silicon layer directly bonded to the glass layer; and a cap arranged over the component structure and bonded directly to the glass layer, wherein the component structure includes a first silicon wafer and is bonded to the glass layer by anodic bonding at a temperature of approximately 400° C.

Although the rejection may not be agreed with, to facilitate matters, claim 1 has been amended to recite that *the first silicon layer has a thickness greater than 50 µm.* Support for this amendment may be found, for example, on page 1, lines 33 to 35 of the Specification. Neither Sparks et al., nor Maluf et al., nor Regan et al., nor Applicants' alleged discussion of the prior art disclose, or even suggest, a component structure layer having a thickness greater than 50 µm. Such a layer thickness allows the production of micromechanical components having both a high basic capacitance and a large in-plane to out-of-plane mode interval. Accordingly, it is respectfully submitted that the combination of Sparks et al. and either Maluf et al. or Regan et al., as well as of Applicants' alleged discussion of the prior art, does not render claim 1 unpatentable for at least these reasons.

Regarding claims 4 to 9 and 22, which ultimately depend from claim 1 and therefore include all of the features of claim 1, it is respectfully submitted that the combination of Sparks et al. and either Maluf et al. or Regan et al., as well as of Applicants'

alleged discussion of the prior art, does not render unpatentable these dependent claims for at least the reasons set forth above in support of the patentability of claim 1.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that the presently pending claims are allowable. It is therefore respectfully requested that the rejections be withdrawn, since they have been obviated. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is respectfully requested.

Respectfully submitted,

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